

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

EDWARD JOE WALTON,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-19-0417-HE
)	
RANDY LESTER, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

Petitioner, appearing *pro se*, filed an action for a writ of habeas corpus under 28 U.S.C. § 2254. On June 27, 2019, U.S. Magistrate Judge Bernard M. Jones issued a Report and Recommendation recommending the denial of petitioner's applications for leave to proceed in forma pauperis and the dismissal without prejudice of this action unless petitioner pays the \$5.00 filing fee in full within twenty-one days form the date of any order adopting the Report and Recommendation. Petitioner was advised of his right to object to the Report and Recommendation by July 18, 2019.

Petitioner did not object to the Report and Recommendation. Therefore, petitioner has waived his right to appellate review of the factual and legal issues it addressed. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the court **ADOPTS** Magistrate Judge Jones' Report and Recommendation [Doc. #9], **DENIES** petitioner's applications for leave to proceed in forma pauperis [Doc. #7 and Doc. #8], and **ORDERS** petitioner to pay the \$5 filing fee in full within **twenty-one (21) days** of the date of this Order. Petitioner is advised that if he does not pay the full \$5 filing fee within

twenty-one (21) days of the date of this Order, this action will be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 29th day of July, 2019.



JOE HEATON
UNITED STATES DISTRICT JUDGE